fifth program instruction means for reporting results of said review; and

sixth program instruction means for determining whether said results justify a decision of certification of said software application; and wherein

all said program instruction means are recorded on said medium.

REMARKS

The abstract is amended to overcome the Examiner's objections.

The specification is amended on pages 4 and 13 to correct informalities as requested by the Examiner.

Claim 14 is amended above to correct for the inadvertently omitted term "review". Support is found in claim 1 as originally filed. No new matter is introduced.

Such amending overcomes rejection of claim 14 under 35 U.S.C. 112, second paragraph.

Applicants respectfully request entry of the above amendments to the Abstract, Specification, and Claim 14.

Claims 1,4, and 8 - 14 are rejected under 35 U.S.C. 102(e)(2) as being anticipated by Bowman-Amuah (US 6,662,357). Applicants respectfully disagree with this rejection and offer the following arguments in support thereof.

Regarding claim 1, Bowman-Amuah describes in column 41 line 54 a code review checklist as an important standard. However, this does not describe entering a review request for a software application into a staging database as required by claim 1 even though a code review is one type of review. In fact, column 41 does not describe entering anything.

Nor does Bowman-Amuah describe the step of performing a readiness assessment as required by Applicants' claim 1. In fact, the "procedures for functional and technical reviews" listed in column 44 line 52 does not describe performing anything, much less a readiness assessment.

In addition, Bowman-Amuah does not describe providing an overview and process flows identifying control points as required by Applicants' claim 1. Column 50 lines 12 - 19 describe procedures that must be in place to ensure work flows from one task to another. However, the work that flows is work (e.g. development tasks) being performed by developers in developing a software application, not the control points within an application which are identified when conducting a review of that application as required by Applicants' claim 1.

Finally, Bowman-Amuah does not describe the last step of Applicants' claim 1 of determining whether said results justify a decision of certification of said software application. Although column 28 lines 60 - 63 of Bowman-Amuah describe release to the production environment, there is no description of any type of determination being made or how to make it.

For all of the above reasons, Applicants' claim 1 is allowable over Bowman-Amuah and such allowance is urged.

Regarding claim 8, which is dependent on allowable claim 1, and therefore allowable, Applicants point out that a separation of duties evaluation is required. As noted in page 11 lines 13 - 14 of applicants' specification, the separation of duties evaluation determines conflicting (non-permitted) tasks. Separation of duties is a well-known principle in performing evaluations, certifications, and audits where a potential conflict is handled by requiring that two tasks must be performed by different people (page 11 lines 20 - 22). Bowman-Amuah lists management teams in column 11 lines 17 - 32 but does not describe performing a separation of duties evaluation. Applicants' claim 8 is therefore also allowable over Bowman-Amuah for this reason and withdrawal of the rejection under 35 U.S.C. 102(e)(2) is respectfully requested.

Independent claims 12 and 14 as amended above, recite steps similar to those of claim 1 and are allowable for the same reasons as noted above for claim 1.

Claims 4, 9 - 11, and 13 are all dependent directly or indirectly on allowable claims 1, 12, and 14 and are therefore also allowable.

Claims 2, 3, and 5 - 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah in view of Gandel (US 6,167,568). However, these claims are all dependent directly or indirectly on allowable claim 1 and are therefore also allowable.

In view of the above, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. 102(e)(2) and 103(a) and allowance of all of the claims in this application.

Applicants take note that neither Bowman-Amuah nor Gandel are listed on the Notice of References cited, PTO-892 form attached to this office action. Accordingly, Applicants have attached a Supplemental Information Disclosure Statement and accompanying PTO-1449 form listing these two documents.

The Application is deemed in condition for allowance and such action by the Examiner is urged. Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707, 707.07(d) and 707.07(j) in order that allowable claims can be presented, thereby placing the application in condition for allowance without further proceedings being necessary.

Respectfully submitted,

Dated: 06/09/04

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